

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

UNITED STATES OF AMERICA

v.

HAMILTON ESTUARDO MARROQUIN-BARILLAS,

Defendant.

Case No. 3:25CR 09

STATEMENT OF FACTS

The parties stipulate that the allegations in Count One of the Criminal Information and the following facts are true and correct, and that had the matter gone to trial the United States would have proven them beyond a reasonable doubt with credible and admissible evidence.

1. On or about May 16, 2021, in the Eastern District of Virginia and within the jurisdiction of this Court, the defendant, Hamilton Estuardo MARROQUIN-BARILLAS, an alien who was previously removed from the United States on or about November 20, 2018, was found in the United States without having obtained the express consent of the Attorney General or his successor, the Secretary of Homeland Security, for re-application for admission into the United States.

2. At all times relevant to the Criminal Information and this Statement of Facts, the defendant Hamilton Estuardo MARROQUIN-BARILLAS was a citizen of Guatemala and not the United States.

Initial Entry into the United States

3. On or about June 16, 2014, MARROQUIN-BARILLAS entered the United States without admission, inspection, or parole. The defendant was not granted permission to enter the United States by the Secretary of Homeland Security or the United States Attorney General.

4. On July 27, 2017, the Immigration Court issued an order for MARROQUIN-BARILLAS to be removed to Guatemala.

5. On September 19, 2017, a Warrant of Removal/Deportation was issued against MARROQUIN-BARILLAS, but MARROQUIN-BARILLAS was not removed from the United States in 2017 and the second page of the September 19, 2017, Warrant of Removal/Deportation (which would show the port, date, and manner of removal and be signed by the immigration officer who witnessed his departure) was not completed.

6. On November 6, 2018, a new Warrant of Removal/Deportation was issued against MARROQUIN-BARILLAS.

Removal

7. Pursuant to the order of removal, on or about November 20, 2018, Immigration and Customs Enforcement (ICE) officials removed MARROQUIN-BARILLAS from the United States via ICE Air charter plane.

Reentry into the United States

8. Sometime after November 20, 2018, MARROQUIN-BARILLAS unlawfully reentered the United States at an unknown location without permission of the Attorney General of the United States or the Secretary of Homeland Security.

Found in the United States

9. On or about May 16, 2021, MARROQUIN-BARILLAS was arrested and charged with Driving While Intoxicated, 1st Offense, in violation of VA Code § 18.2-266, in Chesterfield County General District Court in Chesterfield, Virginia, within the Eastern District of Virginia. ICE officials were first notified of MARROQUIN-BARILLAS's presence in the United States because of this arrest. ICE officials did not physically encounter MARROQUIN-BARILLAS in 2021, and he was not sentenced to any term of active incarceration for the Driving While Intoxicated, 1st Offense.

10. On or about December 10, 2024, MARROQUIN-BARILLAS was arrested and charged with Grand Larceny: Auto Theft, in violation of VA Code § 18.2-95, in Chesterfield County General District Court in Chesterfield, Virginia. While MARROQUIN-BARILLAS was in pretrial detention on this state charge, ICE officials encountered him at Riverside Regional Jail at 500 Polar Trail, North Prince George, Virginia, 23860, within the Eastern District of Virginia.

11. This statement of facts includes those facts necessary to support the defendant's plea of guilty to Count One of the Criminal Information. It does not include each and every fact known to the defendant or to the United States, and it is not intended to be a full enumeration of all of the facts surrounding the defendant's case.

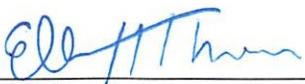
12. The actions of the defendant, as recounted above, were in all respects knowing and deliberate, and were not committed by mistake, accident, or other innocent reason.

Respectfully submitted,

Erik S. Siebert
United States Attorney

Date: 5/14/25

By:


Ellen H. Theisen

Assistant United States Attorney

After consulting with my attorney, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Date: 5/14/25


Hamilton Estuardo Marroquin-Barillas
Defendant

I am the defendant's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

Date: 5/14/25


Mark D. Duda
Attorney for Hamilton Estuardo Marroquin-Barillas